

By: Hegar

S.B. No. 312

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of speech-language pathology and audiology.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 401.057, Occupations Code, is amended to read as follows:

Sec. 401.057. HEARING CONSERVATION PROGRAM. This chapter does not prevent a person in an industrial setting from engaging in hearing testing as a part of a hearing conservation program in compliance with federal Occupational Safety and Health Administration regulations [~~if the person is certified by an agency acceptable to the Occupational Safety and Health Administration~~].

SECTION 2. Section 401.304(a), Occupations Code, is amended to read as follows:

(a) To be eligible for licensing as a speech-language pathologist or audiologist, an applicant must:

(1) if the application is for a license in:

(A) speech-language pathology, possess at least a master's degree with a major in at least one of the areas of communicative sciences or disorders from a program accredited by a national accrediting organization that is approved by the board and recognized by the United States secretary of education under the Higher Education Act of 1965 (20 U.S.C. Section 1001 et seq.) in an accredited or approved college or university; or

1 (B) audiology, possess at least a doctoral degree
2 in audiology or a related hearing science from a program accredited
3 by a national accrediting organization that is approved by the
4 board and recognized by the United States secretary of education
5 under the Higher Education Act of 1965 (20 U.S.C. Section 1001 et
6 seq.) in an accredited or approved college or university;

7 (2) submit a transcript from a public or private
8 institution of higher learning showing successful completion of
9 course work in amounts set by the board in:

10 (A) normal development and use of speech,
11 language, and hearing;

12 (B) evaluation, habilitation, and rehabilitation
13 of speech, language, ~~and~~ hearing, and swallowing disorders,
14 including the use of instruments to measure parameters of
15 communication and swallowing; and

16 (C) related fields that augment the work of
17 clinical practitioners of speech-language pathology and audiology;

18 (3) have successfully completed at least 36 semester
19 hours in courses that are acceptable toward a graduate degree by the
20 college or university in which the courses are taken, at least 24 of
21 which must be in the professional area for which the license is
22 requested ~~[and at least six of which must be:~~

23 ~~[(A) in audiology if the application is for a~~
24 ~~speech-language pathology license, or~~

25 ~~[(B) in speech-language pathology if the~~
26 ~~application is for an audiology license];~~

27 (4) have completed the minimum number of hours,

1 established by the board, of supervised clinical experience with
2 persons who present a variety of communication disorders; and

3 (5) have completed the full-time supervised
4 professional experience, as defined by board rule, in which
5 clinical work has been accomplished in the major professional area
6 for which the license is being sought.

7 SECTION 3. Section 401.306(a), Occupations Code, is amended
8 to read as follows:

9 (a) [~~The board shall notify each examinee of the results of~~
10 ~~the examination not later than the 30th day after the date the~~
11 ~~examination is administered.~~] If an examination is graded or
12 reviewed by a national or state testing service that does not
13 directly notify examinees of the examination results, the board
14 shall notify each examinee of the results not later than the 14th
15 day after the date the board receives the results from the testing
16 service.

17 SECTION 4. Subchapter G, Chapter 401, Occupations Code, is
18 amended by adding Section 401.315 to read as follows:

19 Sec. 401.315. LICENSING FOR MILITARY SPOUSES. (a) In this
20 section:

21 (1) "Military service member" means a person who is
22 currently serving in the armed forces of the United States, in a
23 reserve component of the armed forces of the United States,
24 including the National Guard, or in the state military service of
25 any state.

26 (2) "Military spouse" means a person who is married to
27 a military service member.

1 (b) The board shall issue a license to a military spouse
2 who:

3 (1) was licensed in good standing as a speech-language
4 pathologist or audiologist in another state as of the date of the
5 application;

6 (2) holds a master's degree in at least one of the
7 areas of communicative sciences or disorders from a program
8 accredited by a national accrediting organization that is:

9 (A) approved by the board; and

10 (B) recognized by the United States secretary of
11 education under the Higher Education Act of 1965 (20 U.S.C. Section
12 1001 et seq.); and

13 (3) has not been the subject of a disciplinary action
14 in any jurisdiction in which the applicant is or has been licensed.

15 SECTION 5. Section 401.403(a), Occupations Code, is amended
16 to read as follows:

17 (a) An audiologist may:

18 (1) engage in any act necessary to:

19 (A) evaluate and provide therapy for hearing and
20 balance function;

21 (B) train in the use of amplification, including
22 hearing instruments;

23 (C) make earmolds for hearing instruments;

24 (D) fit, dispense, and sell hearing instruments;

25 or

26 (E) manage cerumen;

27 (2) participate in consultation regarding noise

1 control and hearing conservation;

2 (3) provide evaluations of environment or equipment,
3 including calibration of equipment used in testing auditory
4 functioning and hearing conservation; and

5 (4) perform basic speech and language screening tests
6 and procedures consistent with the audiologist's training.

7 SECTION 6. Subchapter I, Chapter 401, Occupations Code, is
8 amended by adding Section 401.405 to read as follows:

9 Sec. 401.405. TELEPRACTICE. (a) In this section,
10 "telepractice" means the use of telecommunications technology by a
11 license holder for an assessment, intervention, or consultation
12 regarding a speech-language pathology or audiology client.

13 (b) The board may adopt rules to provide for the practice of
14 speech-language pathology or audiology by the use of telepractice
15 by a person licensed under this chapter, including rules that
16 establish the qualifications and duties of license holders who use
17 telepractice.

18 SECTION 7. The following sections of the Occupations Code
19 are repealed:

- 20 (1) Section 401.309;
21 (2) Section 401.314;
22 (3) Section 401.355(c); and
23 (4) Section 401.401.

24 SECTION 8. The State Board of Examiners for Speech-Language
25 Pathology and Audiology by rule may establish a procedure to issue
26 an audiologist license to a person who submits an application
27 before September 1, 2014, and who:

1 (1) has a master's degree in audiology; and

2 (2) was licensed as an audiologist in this state
3 between September 1, 2007, and September 1, 2011.

4 SECTION 9. Section 401.304, Occupations Code, as amended by
5 this Act, applies only to an application for a license filed on or
6 after January 1, 2015. An application for a license filed before
7 January 1, 2015, is governed by the law in effect on the date the
8 application was filed, and that law is continued in effect for that
9 purpose.

10 SECTION 10. The State Board of Examiners for
11 Speech-Language Pathology and Audiology shall adopt any rules
12 necessary to implement Section 401.304, Occupations Code, as
13 amended by this Act, not later than January 1, 2014.

14 SECTION 11. This Act takes effect September 1, 2013.